

Docket No.: APPM/007164.C1/ECP/ECP/MDG
1016.013558
(PATENT)

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:
Chen et al.

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Group Art Unit: 1792

Serial No.: 10/770,737

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Examiner: B. A. Lamb

Confirmation No.: 1009

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Filed: February 3, 2004

For: MODULAR
ELECTROCHEMICAL PROCESSING
SYSTEM

MAIL STOP APPEAL BRIEF-PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being electronically transmitted to the U.S. Patent and Trademark Office via EFS-Web to the attention of Examiner Brenda A. Lamb, on the date shown below.

7/20/09



Date

Keith M. Tackett

Dear Sir:

**RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF DATED JULY 8,
2009**

Applicants submit this Response to the Notice of Non-Compliant Appeal Brief dated July 8, 2009. This Response is believed to be timely since filed by the due date of August 8, 2009, as set by mailing of the Notice of Non-Compliant Appeal Brief on July 8, 2009. Please charge any additional fees that may be required to make this response timely and acceptable to Deposit Account No. 20-0782.

COMMENTS

The Appeal Brief filed on June 2, 2009 was deemed defective, as the Office asserts that Item (5) of Status of Claims did not clearly recite the status of all the claims. In response to the Notice of Non-Compliant Appeal Brief mailed July 8, 2009, Applicant submits the attached revised Status of Claims.

Respectfully submitted,



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Status of Claims

Claims 26-28 are pending in the application. Claims 1-20 were cancelled by Applicant without prejudice prior to Office Action dated January 8, 2009. Claims 21-24 and 26-28 stand finally rejected in Office Action dated January 8, 2009. Claims 21-24 are subsequently cancelled by Applicant without prejudice. Rejections of claims 26-28 are appealed. The pending claims are shown in the attached Claims Appendix.